

REMARKS

This Amendment and Request for Reconsideration is submitted in response to an outstanding Office Action dated May 26, 2004, the shortened statutory period for response having expired on August 26, 2004. Accordingly, a Petition and Fee for Extension of time are included herewith.

I. Status of the Claims

Please amend claims 7-14, 16, 20-28, and 32-34, and add new claims 35 - 40 as indicated above. Claims 1-40 are now pending in the application. Claims 1, 7, 10, 11, and 15-34 are independent claims.

Applicants acknowledge the Examiner's citation of statutory authority as a basis for claim rejections.

II. Rejections under 35 U.S.C. § 101

The Examiner has rejected claims 17, 20, 23, 26, 29, and 32 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner acknowledges the arguments presented in the amendment of March 15, 2004, but maintains the rejection of the claims as directed to non-statutory subject matter. Applicant traverses the rejection and restates the arguments stated in the March 15, 2004 response.

III. Rejections under 35 U.S.C. § 103(a)

The Examiner has rejected claims 7-9, 10, 16, 21-22, 24-25, 27-28, and 33-34 under 35 U.S.C. § 103(a) as being unpatentable over Frank et al. (U.S. Patent No. 6,021,470) in view of Lomet (U.S. Patent No. 5,596,754). The Examiner has also rejected claims 11-14, and 27-28 under 35 U.S.C. § 103(a) as being unpatentable over Bourne et al. (U.S. Patent No. 6,584,548) in view of Lomet (U.S. Patent No. 5,596,754). Applicants have amended

independent claims 7, 10, 11, 16, 20-28, and 32-34 to more clearly describe the invention and respectfully traverse the rejection.

The Examiner states that the combination of Frank and Lomet disclose all of the elements of independent claims 7, 10, 16, 21, 22, 24, 25, and 33-34, and it would have been obvious to combine the references because “when shared data is being processed by one of the clients, it should be locked to prevent other clients from gaining access to that data.”

Claims 7 and 20-22 generally provide cache management in a distributed computer system comprising identifying at a first computer of the distributed computer system a cache miss of a cache item; sending a request for a read lock of a named cache from the first computer to a second computer of the distributed computer system, the named cache including the cache item; read locking at the second computer the named cache; requesting the cache item from a master locking database of the distributed computer system, wherein the first computer, the second computer and the master locking database are individual nodes of the distributed computer system; receiving at the first computer the cache item; and sending a release of the read lock of the named cache from the first computer to the second computer.

Applicants respectfully submit that the combination of Frank and Lomet do not disclose or suggest all of the elements of independent claims 7 and 20-22, and the claims that depend therefrom.

Claims 10 and 23-25 generally provide cache management in a distributed computer system comprising identifying at a first computer of the distributed computer system a cache miss of a cache item; sending a request for a read lock of a global database from the first computer to a second computer of the distributed computer system, the global database including the cache item; read locking at the second computer the global database; requesting the cache

item from a master locking database of the distributed computer system, wherein the first computer, the second computer and the master locking database are individual nodes of the distributed computer system; receiving at the first computer the cache item; and sending a release of the read lock of the global database from the first computer to the second computer.

Applicants respectfully submit that the combination of Frank and Lomet do not disclose or suggest all of the elements of independent claims 10 and 23-25.

Claims 16 and 32-34 generally provide cache management in a distributed computer system comprising identifying a cache miss of a cache item at a local node of the distributed computer system; sending a request for a read lock of a named cache from the local node to a cache manager of the distributed computer system; receiving the request for a read lock of the named cache at the cache manager; read locking the named cache at the cache manager; sending an indication that the named cache is read locked from the cache manager to the local node; receiving the indication that the named cache is read locked at the local node; requesting the cache item from a master locking database of the distributed computer system, wherein the first computer, the second computer and the master locking database are individual nodes of the distributed computer system; receiving the request for the cache item; sending the cache item to the local node; receiving the cache item at the local node; sending a release of the read lock of the named cache from the local node to the cache manager; receiving the release of the read lock of the named cache at the cache manager; and releasing the read lock of the named cache.

Applicants respectfully submit that the combination of Frank and Lomet do not disclose or suggest all of the elements of independent claims 16 and 32-34.

In summary, with respect to the rejection of claims 7-9, 10, 16, 21-22, 24-25, 27-28, and 33-34, applicants respectfully submit that the combination of Frank and Lomet do not

disclose or suggest all of the elements of independent claims 7, 10, 16, 21, 22, 24, 25, and 33-34. Further the Examiner has improperly used hindsight to identify and combine the Frank and Lomet references, without identifying any teaching or suggestion that would motivate a person of ordinary skill to combine those two particular references over a combination of any other arbitrary references that are in the field of data caching.

With regard to claims 11 and 27-28, the Examiner states that the combination of Bourne and Lomet disclose all of the elements and that it would be obvious to combine the references because “when shared data is being processed by one of the clients, it should be locked to prevent other clients from gaining access to that data.”

Claims 11 and 27-28 generally provide cache management in a distributed computer system comprising determining at a first computer of the distributed computer system that a predetermined event has occurred; sending a request for a read lock of a named cache from the first computer to a second computer of the distributed computer system; requesting at the first computer a timestamp; receiving at the first computer an indication of a read lock of the named cache; receiving at the first computer a timestamp; comparing at the first computer the received timestamp with a previous timestamp; responsive to the comparison, performing at the first computer a predetermined action; and sending a release of the read lock of the named cache from the first computer to the second computer.

With respect to the rejection of claims 11 and 27-28, applicants respectfully submit that the combination of Bourne and Lomet do not disclose or suggest all of the elements of independent claims 11 and 27-28. Further the Examiner has improperly used hindsight to identify and combine the Bourne and Lomet references, without identifying any teaching or suggestion that would motivate a person of ordinary skill to combine those two particular

references over a combination of any other arbitrary references that are in the field of data caching.

IV. Allowable Subject Matter and New Claims

Applicants acknowledge that the Examiner has allowed claims 1-6, 15, 18, 19, 30 and 31.

V. Request for Reconsideration

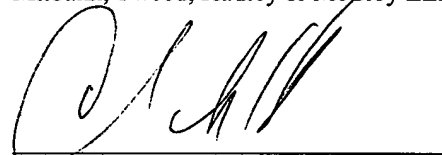
Applicants respectfully submit that the claims of this application are in condition for allowance. Accordingly, reconsideration of the rejection and allowance is requested. If a conference would assist in placing this application in better condition for allowance, the undersigned would appreciate a telephone call at the number indicated.

October 21, 2004

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Respectfully submitted,
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